

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRANDON J. ASHDOWN,

Plaintiff,

v.

Case No. 2:17-cv-661

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Chelsey M. Vascura

**TWELFTH DISTRICT COURT
OF APPEALS, *et al.*,**

Defendant.

OPINION AND ORDER

On September 8, 2017, the United States Magistrate Judge issued a Report and Recommendation (ECF No. 7) recommending that the Court dismiss Plaintiff's case pursuant to 18 U.S.C. § 1915(a) for failure to state a claim. Plaintiff did not object, but subsequently moved to amend his Complaint. (ECF No. 10.) On November 16, 2017, the Magistrate Judge recommended that the Court adopt the September 8, 2017 Report and Recommendation and deny the Motion to Amend the Complaint because the proposed Amended Complaint also fails to state a claim on which relief could be granted. (ECF No. 11.)

The time for filing objections has passed, and no objections have been filed to the Report and Recommendation or the Supplemental Report and Recommendation. Therefore, the Court **ADOPTS** the Report and Recommendation and Supplemental Report and Recommendation. For the reasons set forth in the Report and Recommendation, the Court **DISMISSES** this action as frivolous and **DENIES** Plaintiff's Motion to Amend as futile.

IT IS SO ORDERED.

12-13-2017
DATE


EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE